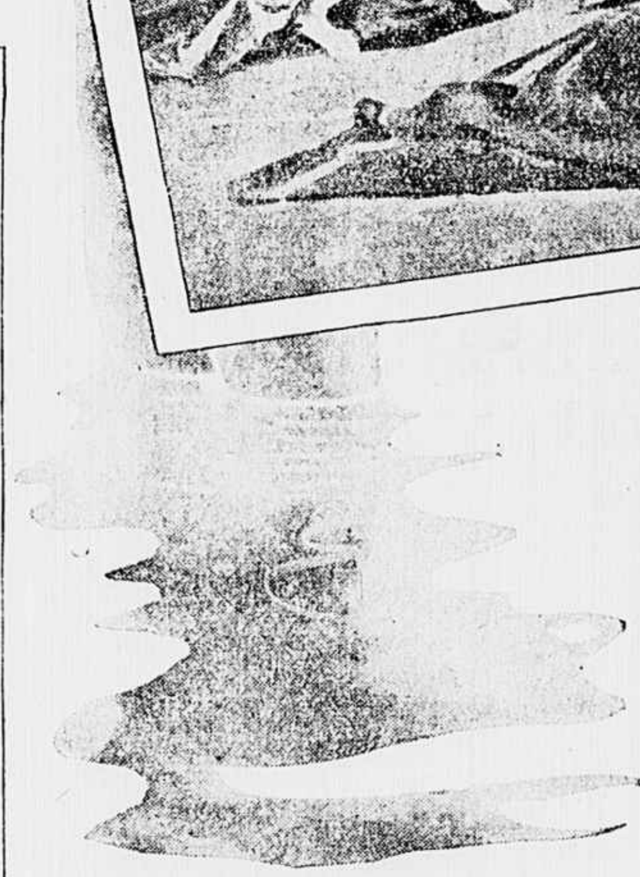
Why The Very Same Painting May be Ennobling—and Also Indecent

Anthony Comstock's Successor Explains Why Recognized Works of Art, Statues and Literary Masterpieces Are Never Disturbed in Museums, Private Residences or Libraries, But Are Driven Out of Print Shops and Book Stores by the Society for Suppression of Vice

By John S. Sumner.

Successor to Anthony Comstock as Secretary and Executive Head of the New York Society for the Suppression of Vice, in An Interview.



WHEN is a work of art to be regarded as being criminally indecent? What are the qualities that distinguish an immoral painting from one which, probably much the same in subject and execution, is quite proper? On what fine lines must discrimination be made between the fit and unfit in painting and sculpture? In the case of a genuine work of art—perhaps by a great master—what are the circumstances that would justify legal action to prohibit its exhibition?

These questions have been asked in regard to the work of the New York Society for the Suppression of Vice. While I make the point of not setting up a personal opinion as to what should be the finally guiding elements in determining the propriety of art in painting, sculpture, the drama and literature, I would point out that in conducting the work of this society, with an opinion subordinate to public opinion, and subordinate to the opinion of courts, we must work with certain principles in mind and guide our action after various considerations.

Should a painting by a world-renowned artist, masterful in its technique, beautiful in its coloring, ever be removed from public view? Are there occasions when statues by the greatest geniuses of sculpture might be moved to the cellar? Under what circumstances is the exhibition of one work of art objectionable, and under what others quite unobjectionable? The works of Rodin can be seen in the great galleries. But does not the occasion arise when a figure by the celebrated French master—properly shown in the Metropolitan Museum, New York—might exercise a deleterious effect upon morals in the shape of reproductions?

There is a well-known case which years ago was decided by the Court of Appeals of the State of New York wherein a dealer was in the first instance arrested for purveying small, cheap copies of nine works of art. They were all by celebrated artists. Eight had been exhibited in Paris and one in Philadelphia. Exhibited in an art gallery no objection might have been made to the original or replicas in marble. Reproduced inartistically and cheaply on postcards or otherwise all of these nine copies were objectionable and justified action.

Why? There was a difference between the originals to be viewed in galleries by people interested in their artistic qualities and the copies which being poorly and cheaply done, focussed the indecency and were designed to be circulated indiscriminately and could readily fall into the hands of the young, untrained and impressionable, whose minds would respond not to the qualities of art and beauty but to the suggestive and prurient.

In determining a recent case, the Judge declared that one must consider the place and circumstances in deciding whether exhibitions and sales of works of art, of possibly a suggestive nature, constitute a violation of the law. This is quite correct. A painting may be legitimately exhibited in one place, while it may spread a moral contagion in another. A statue, quite innocuous in a gallery, might constitute a source of moral pestilence if put up in a public square. A painting, to which no one might find objection in the home, might be quite thoroughly objectionable in a show window.

In dealing with the quality of indecency in art works, we must consider where that work is exposed, the conditions under which it is shown and the people whose attention it would likely attract. While the place of its exhibition could not remove in any case any intrinsic indecency in an indubitably immoral picture so far as its character is concerned, a distinction must be made in determining the elements of impropriety by the atmosphere in which a picture is shown.

I was walking up Broadway one evening and saw a dozen young men standing before the window of a picture shop. Every eye was focussed upon one picture. In an art gallery the original would have been viewed by admirers of art and art students from an artistic standpoint; they would have admired its beauty, color and technique. In a cheap reproduction these youths saw nothing of this. By their conversation I realized they were attracted merely by the salacious in it. The effect of paintings changes with the atmosphere inasmuch as there is a difference in the mental approach of the beholder.

According to the law, we are to consider the effect of art works not on the well-balanced mind, but upon the impressionable, young and weak. A normal person, who has attained a state of mental cultivation and development, in viewing a painting and statue would see the artistic rather than be impressed by any suggestive aspect. He would appreciate the work of the artist; if well done, he would be stirred with admiration. He would respond to the conception of the creator and understand the symbolism conveyed rather than revel in any conjured lasciviousness.

It is the untrained who have not attained this state of culture and esthetic appreciation we must consider in dealing with the question of indecency in art. There are upwards of 50,000,000 young, under the age of twenty-one, in the United States. Not having reached the age when the appeal of art is to the intellect, we must ascertain, in judging paintings and statues, what the effect will be upon them.

Why should there be a difference in the consideration and point of view on art so far as these are concerned? In the present state of civilization and social ideals children are brought up to regard matters of sex with a sense of secrecy and shame—I suppose properly so. When children are therefore confronted by the nude in art this sense and secrecy and shame tends to focus the immature and untrained mind upon the forbidden.

I have in mind a certain celebrated statue, the conception of a great sculptor, exalted in its symbolism. While that figure would excite only the noblest thoughts in a gallery or home, exposed in a public place it would arouse loose comment. In an atmosphere tending to draw attention from the artistic its effect would be bad. High on the pediment of the New York Stock Exchange are a group of figures, nudes, which at another place might prove objectionable. They are there so high up, however, and discolored, that no one pays any attention to them. To those sufficiently interested, adults frequenting the Exchange, they would possibly carry no evil, but arouse only clean admiration. But on a schoolhouse they would certainly be impossible.

The picture "September Morn" was probably artistic—I think so. While it might be quite innocuous in a man's library, it was undesirable to show it in a window where all in passing might behold it.

An entirely different mental condition prevails in an art gallery from that on the street. It might be criminally illegal to exhibit a picture in a show window which could be regarded as quite safe in an art gallery. There is something inspiring and noble in the atmosphere of the Metropolitan Museum, for instance. The visitor is impressed by its prestige and atmosphere. You go there in a spirit of artistic admiration and veneration. Even the young who pass through the galleries are more likely to feel this spirit than a vulgar, prurient curiosity.

The place of exhibition, therefore, largely determines the effect of suggestiveness in a work of art. Because we would remove a picture from a shop window or a statue from a public square does not mean that it should be suppressed or destroyed—merely that it should be in its proper place.

What are the qualities that make a statue or painting obscene? No general standards can be set up on which to judge. Each picture and each statue must stand by itself and be judged accordingly. The quality of indecency may be carried by the expression of the face, the position of the hands and the attitude of the body. Take the same subject by two artists—one may be quite pure, while the other, only slightly different, may convey lascivious suggestions. That comes through the conception conveyed often most subtly by the facial expression and posture of the figure. I have in mind the case of a man arrested for selling postcards on which there was a reproducting of a celebrated classic statue. That was judged improper because of the suggestive quality in the position of one hand of the figure. That figure, sold on a cheap postcard for common distribution, was indubitably indecent and immoral in its effect.

Would we discriminate between classic statues and modern statues? Generally, no. But there is this difference: The classic figures, which are mostly nude, possess little expression of the features—by which improper suggestions may be conveyed. The faces of the classic statues are bland, almost expressionless. On the contrary, modern statuary is more realistic. Modern artists express in stone the emotions of the carven characters.

Does the artistic beauty of a figure, the perfectness of its curves and lines, tend to obviate the quality of possible indecency? I do not think the beauty and execution are to be considered so much as the posture. Take two groups of nudes—a male and female embracing and a mother and her children. The male and female in embrace may be indecent or it may not be. However nude, the figures of Niobe and her children could not arouse libidinous thoughts.

A couple kissing, in a statue or painting, may be just as chaste and harmless. There are many of a character that would not, I believe, stir up improper thoughts even in the most susceptible. An ordinary kissing scene, in my opinion, would have to go very far to suggest lewd thoughts—indeed, go to the extreme. Judgment of such a statue or picture must be based, as I have said, on the expression of the face, the position of the bodies, the closeness of contact. This may make all the difference in the world and distinguish between the thing that is good and that which is evil.

You must consider another important phase—the suggestion a statue or painting carries of the same figures in the flesh. You must consider whether a couple kissing in stone carry into the mind of the young beholder a vision of a man and woman kissing in life, with the flesh touching. While an adult would admire the couple of Rodin's "Kiss" as a work of art, a child might conjure through it, or a postcard reproduction, a lascivious vision of a couple kissing, in close embrace, in life.

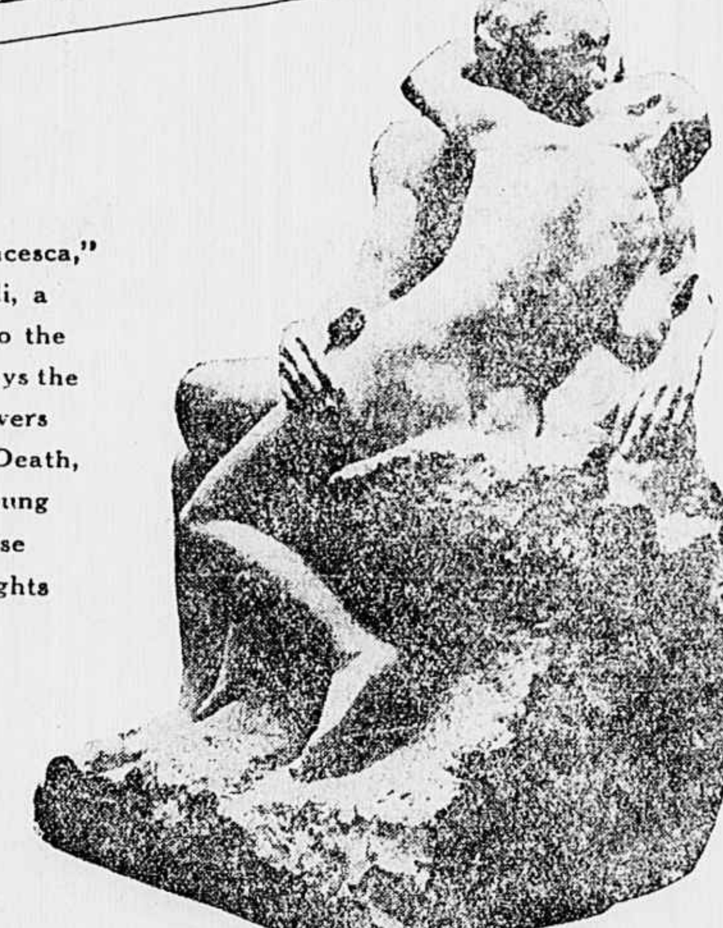
There is a celebrated painting of Paolo and Francesca kissing in impassioned embrace. To one knowing the story of their tragedy, that picture would have no salacious import, but only the pathos of lovers parting before death. A youth, unacquainted with the tragic story, might vision merely a couple in tenacious, clinging embrace, and his train of thoughts might turn to the unchaste.

In passing upon the public exhibition of works of art and reproductions for indiscriminate circulation, the intention of the artist and the symbolism or story conveyed cannot apply so far as the law is concerned. We must consider only the result produced in the minds of the beholder. At the present time a great many paintings are put forth as works of art which are merely photographic reproductions of nudes from life. One need not be deceived as to their purpose in suggesting lewd thoughts in the young.

'September Morn," the Much Discussed Painting by Paul Chabas, Would Excite Objectionable Ideas in a Show Window, But Might Appear Highly Artistic and Proper in a Man's Library.

"Paolo and Francesca," by A. Cassioli, a Picture That to the Educated Conveys the Pathos of Lovers Parting Before Death, But in the Young Might Arouse Impure Thoughts

"Niobe Weeping for Her Children," by Solomon J. Solomon, a Painting Which Would Not Arouse Libidinous Thoughts Because the Figures However Nude Are Those of a Mother and Her Children.



Rodin's Famous Statue Called "The Kiss," May Be Properly Shown in the Metropolitan Museum, But "Exerts a Deleterious Effect on Morals" in the Shape of Cheap Reproductions.

John S. Sumner, Head of the New York Society for the Suppression of Vice.

All Sorts of Diseases Caused By Worry

WORRY has come to be a question of hygiene rather than of religion. Whether immoral or not, it is certainly unhealthful, so the doctors tell us. Whatever its effect upon the soul, it is known to injure the body.

If medical science is correct in its latest deductions, many of the most distressing of our physical ailments are due to worry alone.

The pulse of a worried man is irregular. It beats intermittently and its force varies greatly. He sighs frequently. His respiration is repressed. He is likely to be pale. His extremities are cold.

There is but one meaning to this. Through the marvellous influence which mind exercises upon matter the worry has gripped the heart, the circulation is impaired, and chronic heart disease is to be feared unless the worry ceases.

The stomach is likely to suffer also. The same worry which disturbs the heart's functions plays havoc with digestion often.

Recent observations demonstrate that when one is in extreme anxiety there are relaxation and decreased mobility throughout the entire alimentary tract. The appetite fails. The secretions are disturbed. Should the anxiety continue the subject is almost certain to become a confirmed dyspeptic.

The effect of worry upon the internal glands has not been fully studied. Enough is known, however, to assure the physician that it affects the secretions of these glands very seriously through the sympathetic nerves. It thus becomes an important agent in producing exophthalmic goitre and a train of other ills that can only be defined when the real functions of the glands in question are more adequately studied.

Insomnia, a most fruitful source of many kinds of serious physical ills, is a certain consequence of worry. Diabetes is often due to the same cause.